The Minutes

November 10, 2003

C041838 THE PEOPLE v. WISE (Not for Publication)

The judgment is modified... As modified, the judgment is affirmed.

ROBIE, J.

We concur: Scotland, P.J.

Hull, J.

C042823 THE PEOPLE v. SIMMS (Not for Publication)

The judgment is modified, as follows:...
...As modified, the judgment is affirmed.

RAYE. J.

We concur: Nicholson, Acting P.J.

Kolkey, J.

C044025 THE PEOPLE v. DORSEY (Not for Publication)

The judgment is affirmed.

ROBIE, J.

We concur: Blease, Acting P.J.

Raye, J.

C043514 In re CHRISTOPHER M.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES v. TAKISHA M. et al. and ALBERT G.

(Certified for Publication)

The juvenile court's order is affirmed.

DAVIS, J.

We concur: Sims, Acting P.J.

Hull, J.

November 11, 2003

There were no minutes for this date.

November 12, 2003

C043751 THE PEOPLE v. DUMOND (Not for Publication)

The judgment is modified... As modified, the judgment is affirmed and the superior court is directed to prepare an amended abstract of judgment reflecting the modification and forward a certified copy thereof to the Department of Corrections.

SIMS, Acting P.J.

We concur: Davis, J.

Raye, J.

The Minutes

November 12, 2003, continued

C040729 BANKS et al. v. INTERNATIONAL BILLING SERVICES, INC. et al. (Not for Publication)

The judgment is affirmed. Banks shall pay Orrick's and IBS's costs of this appeal. (Cal. Rules of Court, rule 27 (a).)

MORRISON, Acting P.J.

We concur: Kolkey, J.

Robie, J.

C041197 HEALTH NET OF CALIFORNIA, INC. v. DEPARTMENT OF HEALTH SERVICES et al. (Certified for Publication)

The judgment is reversed and the matter remanded to the trial court for further proceedings. Health Net shall recover its costs on appeal. (Cal. Rules of Court, rule 27(a)(1).)

KOLKEY, J.

We concur: Sims, Acting P.J.

Robie, J.

C043928 WHITLOW-FOAT v. FOAT, JR. (Not for Publication)

The order is affirmed. Respondent shall recover her costs on appeal.

(Cal. Rules of Court, rule 27(a).)

ROBIE, J.

We concur: Scotland, P.J.

Nicholson, J.

November 13, 2003

C039008 THE PEOPLE v. HANSON (Not for Publication)

The superior court is directed to prepare an amended abstract of judgment reflecting any and all modifications of the judgment and to forward a copy thereof to the Department of Corrections. As amended, the judgment is affirmed.

BLEASE, Acting P.J.

We concur: Morrison, J.

Kolkey, J.

C043216 THE PEOPLE v. BAILEY

(Not for Publication)

The judgment is affirmed.

ROBIE, J.

We concur: Blease, Acting P.J.

Rave, J.

The Minutes

November 13, 2003, continued

C043382 THE PEOPLE v. PERIMAN (Not for Publication)

The judgment is modified... As so modified, the judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment and to forward a certified copy to the Department of Corrections.

BLEASE, Acting P.J.

We concur: Raye, J.

Robie, J.

C043498 THE PEOPLE v. BURLEY (Not for Publication)

The judgment is affirmed.

Blease, Acting P.J.

We concur: Raye, J.

Robie, J.

C043782 THE PEOPLE v. MCDONALD (Not for Publication)

The judgment is affirmed.

ROBIE, J.

We concur: Scotland, P.J.

Nicholson, J.

C041618 GONZALEZ v. VARGAS (Not for Publication)

The order is affirmed.

HULL, J.

We concur: Davis, Acting P.J.

Nicholson, J.

CO41863 SPX CORPORATION v. DORAIS, as Acting Chief etc., et al.

(Not for Publication)

The order denying SPX's petition for writ of mandate is reversed. The superior court shall reconsider the petition by applying the independent judgment test in reviewing the ALJ's decision. SPX shall recover its costs on appeal. (Cal. Rules of Court, rule 27(a)(1).)

KOLKEY, J.

We concur: Scotland, P.J.

Raye, J.

The Minutes

November 13, 2003, continued

C042923 In re D.I. et al.; SAN JOAQUIN COUNTY HUMAN SERVICES AGENCY v. T.I. (Not for Publication)

The order requiring a declaration from the minors' therapist before a motion to increase visitation may be entertained in the superior court is stricken. As so modified, the judgment is affirmed.

SIMS, Acting P.J.

We concur: Davis, J.

Hull, J.

C043346 In re GARY A.; SHASTA COUNTY DEPARTMENT OF SOCIAL SERVICES v. JEANNA B. (Not for Publication)

The orders of the juvenile court are affirmed.

BLEASE, Acting P.J.

We concur: Davis, J.

Raye, J.

C042656 INTERIOR PARTITIONS, INC. v. BAY COMMERCIAL CONSTRUCTION, INC.

BY THE COURT:

Appellant's petition for rehearing is denied.

SCOTLAND, P.J.

November 14, 2003

C039683 THE PEOPLE v. BARKSDALE (Not for Publication)

The judgment is affirmed.

HULL, J.

We concur: Davis, Acting P.J.

Nicholson, J.

C041228 THE PEOPLE v. OWENS (Not for Publication)

The judgment is affirmed.

Morrison, J.

We concur: Davis, Acting P.J.

Kolkey, J.

C042221 THE PEOPLE v. MCALLISTER (Not for Publication)

The judgment is modified... As modified, the judgment is affirmed.

MORRISON, J.

We concur: Davis, Acting P.J.

Kolkey, J.

The Minutes

November 14, 2003, continued

C042327 THE PEOPLE v. TORRES-CAPOTE (Not for Publication)

The appeal is dismissed.

DAVIS, J.

We concur: Blease, Acting P.J.

Morrison, J.

C034110 MCCLUNG v. EMPLOYMENT DEVELOPMENT DEPARTMENT et al. (Certified for Publication)

Summary judgment is affirmed in part and reversed in part as follows: Judgment in favor of EDD on each of McClung's causes of action is affirmed; and judgment in favor of Lopez on each of McClung's cause of action is reversed. The parties shall bear their own costs on appeal. (Cal. Rules of Court, rule 27(3).) (Certified for Publication)

NICHOLSON, J.

We concur: Davis, Acting P.J.

Kolkey, J.

C043732 In re D.B. et al.; YOLO COUNTY DEPARTMENT OF SOCIAL SERVICES v. V.B. and N.N. (Not for Publication)

The orders of the juvenile court terminating parental rights are reversed. The juvenile court is directed to make a determination, based on the evidence presented at the section 366.26 hearing, whether the sibling exception set forth in section 366.26 subdivision (c) (1) (E) has been established and thus whether termination of parental rights would be detrimental to the minors and to enter new orders in accord with its findings.

HULL, J.

We concur: Sims, Acting P.J.

Davis, J.

C044361 In re C.W.; SUTTER COUNTY DEPARTMENT OF HUMAN SERVICES v. STACY J. (Not for Publication)

The order terminating parental rights is affirmed.

SCOTLAND, P.J.

We concur: Sims, J.

Butz, J.